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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,422	07/22/2003	Travis M. Cossel	100111125-1	7251

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EXAMINER
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HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
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2136

MAIL DATE	DELIVERY MODE
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06/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/624,422	Applicant(s) COSSEL ET AL.	
	Examiner Brandon S. Hoffman	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-17 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-17 and 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. Claims 1-11, 14-17, and 19-30 are pending in this office action, claims 12, 13, and 18 are canceled.

2. Applicant's arguments, filed April 4, 2007, have been fully considered but they are not persuasive.

### *Claim Rejections*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### *Claim Rejections - 35 USC § 102*

4. Claims 1-6, 11, 14-17, and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Oosterhout (U.S. Patent Pub. No. 2004/0179220).

Regarding claims 1, 14, 19, and 22, Van Oosterhout teaches a method/computer-usable media/digital transmitter of operating a digital transmitter, the method comprising:

- A scanner adapted to convert printed material into digital data (paragraph 0016, the document is scanned); and

- A controller connected to the scanner for receiving the digital data, the controller adapted to transmit the digital data to one or more destination addresses selected by a user of the digital transmitter (paragraph 0016, the document is transmitted over a network), the controller further adapted to cause the digital transmitter to perform:
  - Detecting a security code from the digital data (paragraph 0017, reading the markings);
  - **Sending the digital data to all of the one or more destination addresses selected by the user without requiring the user to input a security authorization when the security code is low** (paragraph 0041 and fig. 6, ref. num 48);
  - Determining whether **the** user has proper security authorization **only when the security code is not low** (fig. 4);
  - Sending data corresponding to printed material into the digital transmitter to one or more destination addresses selected by the user when the user has proper security authorization **and when the security code is not low** (paragraph 0045, the user-requested communication is enabled and performed); and
  - Implementing security measures when the user does not have proper security authorization **and when the security code is not low** (paragraph 0045, the restricted region is not transmitted).

Regarding claims 2, 15, and 21, Van Oosterhout teaches wherein detecting the security code comprises detecting one of an indicator, a keyword, a key phrase, or a key graphical image from the printer material (paragraph 0034).

Regarding claim 3, Van Oosterhout teaches wherein detecting an indicator from the printed material comprises detecting a barcode or a watermark from the printed material (paragraph 0025).

Regarding claim 4, Van Oosterhout teaches wherein detecting the security code comprises matching one of the one or more destination addresses with a preselected destination address (paragraph 0045, the user-requested communication is enabled and performed).

Regarding claim 5, Van Oosterhout teaches wherein implementing security measures comprises deleting the data corresponding to the printed material (paragraph 0045, the portions that are not authorized are not sent, and are therefore deleted from the transmitted document).

Regarding claims 6 and 16, Van Oosterhout teaches wherein implementing security measures comprises sending the data corresponding to the printed material only to destination addresses of the one or more destination addresses that are approved for the user's security authorization (paragraph 0036).

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Regarding claims 11 and 17, Van Oosterhout teaches wherein determining whether the user of the digital transmitter has proper security authorization comprises comparing the security code to a security authorization of the user of the digital transmitter (fig. 4).

Regarding claim 20, Van Oosterhout teaches further comprising a security monitor (fig. 5, ref. num 32).

***Claim Rejections - 35 USC § 103***

5. Claims 7-10 and 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Oosterhout (U.S. Patent Pub. No. 2004/0179220) in view of Nolan (U.S. Patent Pub. No. 2003/0229492).

Regarding claim 7, Van Oosterhout teaches all the limitations of claim 1, above. However, Van Oosterhout does not teach wherein implementing security measures comprises sending a security message to a security monitor.

Nolan teaches wherein implementing security measures comprises sending a security message to a security monitor (paragraph 0044).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine sending a security message to a security monitor, as

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taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claim 8, Van Oosterhout as modified by Nolan teaches wherein sending a security message to a security monitor comprises sending an audible message to a voicemail box (see paragraph 0044 of Nolan).

Regarding claim 9, Van Oosterhout teaches all the limitations of claim 1, above. However, Van Oosterhout does not teach wherein implementing security measures comprises notifying the user of an unauthorized sending attempt.

Nolan teaches wherein implementing security measures comprises notifying the user of an unauthorized sending attempt (paragraph 0073).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine notifying the user of an unauthorized sending attempt, as taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claim 10, Van Oosterhout as modified by Nolan teaches wherein notifying the user of an unauthorized sending attempt comprises displaying a message indicative of the unauthorized sending attempt on a display of the digital transmitter or sending an email to the user indicative of the unauthorized sending attempt (see paragraph 0073 of Nolan).

Regarding claims 23 and 29, Van Oosterhout teaches a method of operating a digital transmitter, the method comprising:

- Detecting a security code from printed material scanned into the digital transmitter (paragraph 0017, reading the markings);
- When the security code corresponds to a low security level,
  - Sending data corresponding to printed material scanned into the digital transmitter to all of one or more destination addresses selected by **the** user of the digital transmitter **without requiring the user to input a security authorization** (paragraph 0041 and fig. 6, ref. num 48); and
- When the security code does not correspond to a low security level,
  - **Requiring the user to input the security authorization** (paragraph 0045, the user-requested communication is enabled and performed);
  - Comparing the security level to **the** security authorization to determine whether the user has proper security authorization (fig. 4);
  - Sending the data corresponding to the printed material to all of the one or more destination addresses selected by the user when the user has the

proper security authorization (paragraph 0045, the user-requested communication is enabled and performed); and

- o Implementing security measures when the user does not have proper security authorization (paragraph 0045, the restricted region is not transmitted).

Van Oosterhout does not teach issuing a security message.

Nolan teaches issuing a security message **without requiring a user of the digital transmitter to input a security authorization** (paragraph 0044).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine issuing a security message, as taught by Nolan, with the method of Van Oosterhout. It would have been obvious for such modifications because the proper authorities can be informed of a unauthorized access attempt.

Regarding claims 24 and 30, Van Oosterhout as modified by Nolan teaches wherein detecting the security code comprises detecting one of an indicator, a keyword, a key phrase, or a key graphical image from the printer material (see paragraph 0034 of Van Oosterhout).

Regarding claim 25, Van Oosterhout as modified by Nolan teaches wherein determining the level of the security code comprises matching the security code to a predetermined security code that corresponds to a preselected security level (see paragraph 0032 of Van Oosterhout).

Regarding claim 26, Van Oosterhout as modified by Nolan teaches wherein issuing the security message comprises sending the security message to at least one of the user and a security monitor (see paragraph 0073 of Nolan).

Regarding claim 27, Van Oosterhout as modified by Nolan teaches wherein issuing the security message comprises displaying the security message at the digital transmitter (see paragraph 0073 of Nolan).

Regarding claim 28, Van Oosterhout as modified by Nolan teaches further comprising prompting the user to input a security authorization when the security level of the security code is not low (see paragraph 0039 of Van Oosterhout).

### ***Response to Arguments***

6. Applicant's arguments are moot in view of the new ground of rejection.

### ***Conclusion***

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7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

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